

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

- - -

R.W., individually, by and : CIVIL ACTION
through his parent and natural :
Guardian Sarah Williams, and :
SARAH WILLIAMS, individually, :
Plaintiffs, :
v :
DELAWARE DEPARTMENT OF :
EDUCATION, et al. :
Defendants. : NO. 05-662 (KAJ)

- - -

Wilmington, Delaware
Thursday, November 10, 2005 at 9:00 a.m.
PRELIMINARY INJUNCTION HEARING

- - -

BEFORE: HONORABLE **KENT A. JORDAN**, U.S.D.C.J.

- - -

APPEARANCES:

LAW OFFICES
BY: PATRICIA McHALE O'NEILL, ESQ.

Counsel for Plaintiff

DELAWARE DEPARTMENT OF JUSTICE
BY: CRAIG ROMOND FITZGERALD, ESQ.
Deputy Attorney General

Counsel for Delaware Defendants

Brian P. Gaffigan
Registered Merit Reporter

Williams - direct

1 THE COURT: Please do.

2 (Counsel confer.)

3 MS. O'NEILL: May I approach the witness?

4 THE COURT: Yes, please.

5 BY MS. O'NEILL:

6 Q. Ms. Williams, I'm going to hand what we have marked
7 as P-1. Could you please identify that document for me?

8 A. This is the notes of suspension that I was given by
9 Charles Carter on November the 8th, 2004.

10 Q. Does it indicate on there that a conference has been
11 scheduled at the school?

12 A. Yes. It says conference November 10th.

13 Q. Did you ever have a conference on November 10th?

14 A. No, because I asked Mr. Carter, did I have to come
15 for it? And he told me no.

16 Q. And this is the original document; correct? This is
17 not a copy. This is the one you were handed on that day;
18 correct?

19 A. That's correct.

20 Q. And the signature is by Mr. Carter; correct?

21 A. Correct.

22 THE COURT: Ma'am, do you have a copy of that
23 that you want to put in the court record?

24 MS. O'NEILL: I am handing up to your clerk a
25 copy of P-1.

Williams - direct

1 THE COURT: Thanks.

2 (Documents passed forward.)

3 BY MS. O'NEILL:

4 Q. Did you later receive a different copy of this notice
5 of suspension?

6 A. No.

7 Q. I'm going to hand you what we'll call P-2.

8 MS. O'NEILL: May I approach?

9 THE COURT: You may freely approach, yes.

10 MS. O'NEILL: Thank you.

11 (Documents passed forward.)

12 BY MS. O'NEILL:

13 Q. Ms. Williams, can you tell us what this paper is,
14 please? Excuse my copying.

15 A. I was never given this document.

16 Q. When did you first become aware of that document, if
17 you recall?

18 A. I don't recall.

19 Q. Now, looking at that and looking at what had
20 previously been marked as P-1, are they the same document?

21 A. No, it's a different document because this one has GA
22 Moody that signed it.

23 Q. But everything else is the same or is there something
24 else that is different?

25 A. It's also different. It has EXT 113 on this form and